



Housing Committee

Town of Chilmark

MEETING NOTES - FINAL **September 15, 2022 (via ZOOM)**

Present for the Housing Committee and attending the Zoom meeting were Jim Feiner – Chair, Andrew (Andy) Goldman, Ann Wallace, Allison Cameron Parry, Nettie Kent Ruel and Alison Kisselgof - Administrator. Peter Cook, Billy Meegan, Jessica Roddy and Phil Banta were also in attendance.

Bill Rossi was not in attendance.

The meeting started at 9:04 am.

MIDDLE LINE ROAD 2022 FINANCIAL REVIEW: David and Terri were not present at this meeting but asked that questions be sent to them should any arise. They will be attendance at a meeting of this Committee when the Fiscal Budget 2023 is ready to review.

Jim began this discussion by asking if anyone had any questions regarding the end Fiscal Budget 2022 versus actual expenses for Middle Line Road (MLR), received from Terri Keech at Dukes County Regional Housing Authority (DCRHA and distributed to Committee members by Alison. Alison offered that the actual expenses were lower than expected and income was higher than expected so MLR finances for 2022 looked good.

Andy wanted to know what the rental rates were based on. Ann believed that the rent was calculated from 30% of income.

A summary of rental amounts and tenant area mean income (AMI) entitled “MLR Tenants PMI % 2017-2021 9-13-22” was sent to Andy from David Vigneault of DCRHA (Alison distributed this document to the rest of the Committee during this meeting). Andy noted that none of the tenants over the last five years has been at the maximum AMI of 150%. He said that the town had made financial decisions based on the 150% AMI but the actual income from the rentals is much lower, which is creating a deficit for the town. Jim mentioned that the Housing Committee was not involved in the bonds for MLR and wondered if it should be for future projects. Andy offered that the Housing Committee should be included in this aspect of future developments.

Alison shared the budget with the Committee members and pointed out the income & expense totals and some other highlights of the budget. She said that the town will get the net income minus \$10,000 for maintenance reserve fund. Ann added that any funds leftover after reserve fund and debt payment would be placed in the Molly Flender Affordable Housing Trust (MFAHT).

A motion was made to accept the budget and request a check for the net income minus reserve funds. The motion was seconded and vote was unanimous minus Andy who abstained.

PEAKED HILL PASTURE UPDATE: Andy recounted the history of the Peaked Hill Pasture (PHP) RFP Committee from the town warrant article to current. He said that he was currently writing a report for the Select Board. Andy mentioned that a consultant was hired and then fired for non-responsiveness but that Chuck Hodgkinson had agreed to work with the PHP RFP Committee. He explained that the current zoning would not allow for the warrant concept as written. Andy asked the Planning Board to review the by-law for rental units which he felt was inconsistent with the Homesite zoning by-law. Town counsel was consulted and felt an exception to the rental by-law 6.10 could be requested; however, the Select Board was not in favor of spot zoning. At Chuck’s suggestion, the PHP RFP Committee introduced a few changes to the warrant concept that

would allow the development under current zoning, which include using 2.8 acres for 4 you-build Homesites and 13.5 acres for 9 rental units in 3 triplexes. Each triplex is proposed to have a 1 bedroom, 2 bedroom and 3 bedroom unit. The current plan omits turnkey Homesites and is 2 bedrooms less than the concept called for.

Andy mentioned that the PHP RFP Committee is recommending the project be done in stages. The Homesites would be built first, allowing for the fastest turn-around time. This step would start with installing infrastructure. An RFP for the rental units would be the following step – Andy is writing a pro forma for the rental financials at this time.

Other Housing Committee members questioned Andy about the omission of 40B from the PHP project. Andy explained that the PHP RFP Committee wanted to maintain all rental units up to 150% AMI and also that he doesn't believe that the town's zoning should be circumvented.

There was concern from the Housing Committee about the current plan of using all of the acreage on the lot. Jim reminded Committee members that this is the last buildable parcel the town owns. Andy responded by saying that the rentals are contained in a 6-8 acres building envelope and the usage of all acres at this time is just to abide by current zoning. The PHP RFP Committee's hope is that the rest of the land would still be available to use once zoning is changed. Ann said that it was important to let residents know that the plan is to change zoning to allow future development since this was what they voted on in the warrant concept.

Ann recounted the Planning Board Subcommittee original thoughts when writing the warrant concept. The consultant report received by the Planning Board stated that the concept could be accomplished with either a zoning change or 40B. The concept as written did not consider zoning, use of 40B or financing.

Andy talked a little about financing. He said that the PHP RFP Committee is looking into using existing CPC funds. Andy would like to replenish the MFAHT so that the fund is not weakened.

Jessica mentioned that the warrant concept was already a compromise – the Planning Board and town wanted more rentals originally. She wondered if developers would find the project less appealing with the loss of turnkey Homesites. Lastly, Jessica was concerned that the land will not be available for future use even if zoning changes.

Andy responded to Jessica's concern about future land use by saying that this was one of the pending questions sent to town counsel and the answer would affect considerations.

There was further discussion about the use of 40B. Jim wondered if there were examples from other towns where 40B was found to be problematic. Phil offered that, in his experience in California, affordable housing developers prefer 40B because it reduces uncertainty in the project. It was unclear whether 40B would allow for up to 150% AMI. The PHP RFP Committee thought that lower AMI due to 40B would omit the town professionals who earn more than the AMI for affordable housing but are still in need of housing.

Jim asked about the use of 0.7 acres for each Homesite. Andy answered that this is due to possible need for acreage due to roads and other building considerations but the PHP RFP Committee would consider lower acreage if plans allow.

Peter asked if the Housing Committee wanted to send a memo to the Planning Board to request review of by-law 6.10 and possibly striking section 6.10A2. Jim felt this was a good idea and asked Alison to write the letter.

HOMESITE SALE PRICE PUBLIC FORUM PLANNING: Alison said that a subcommittee had been formed at the last meeting consisting of Ann, Allison and Nettie to review the Homesite Implementation Guide (HIG) and suggest edits. The subcommittee was unable to meet over the summer. Alison also mentioned that the subcommittee would not constitute a quorum.

Ann recounted that there were two planned changes to the HIG that need to be made: the first was removal of minimum acreage in the by-law, the second was the maximum sale price. Since the Attorney General has approved the by-law change of acreage, HIG can now be updated and a change to the sale price can be included. Ann said the conversation was left at whether the Housing Committee wants to hold a public forum. The consensus was that a public forum was a good idea.

It was discussed that infrastructure included well and engineering costs, which may amount to over \$40,000. It was suggested that the sale price should be related to costs actually needed to develop a lot and possibly not a defined number since every project is different. The HIG should instead state what infrastructure the sale price is intended to cover.

YOUTH LOT DISCUSSION: Alison had received an email from resident Nancy Gould in which she questioned why Youth Lots are not restricted to remain in affordable housing. Alison added this agenda item to ask the Committee about Nancy's question.

Andy said the answer was simple - Youth Lots were never intended to be affordable housing. The Youth Lot by-law was only intended to help young residents acquire land. He said that in some cases, recipients of Youth Lots went on to be prominent members of the community. Andy said that when the town saw the need for affordable housing, a new by-law was created to address the issue. Youth Lots and affordable housing are completely separate. Since the Youth Lot by-law is not used very often, Andy didn't feel the by-law needed to be removed.

TOPICS NOT ANTICIPATED: None.

APPROVAL OF MEETING MINUTES: Since members had not read the draft minutes from the June meeting, the minutes will be voted on at the next meeting.

DOCUMENTS:

MLR-Profit & Loss Budget to Actuals-FY2022-July 1, 2021 - June 30, 2022

MLR-Balance Sheet as of June 30, 2022

MLR Tenants PMI % 2017-2021 9-13-22

Email from Nancy Gould 6/21/22

Draft minutes from Housing Committee meeting 6/16/22

NEXT POSSIBLE MEETING: October 20, 2022 @ 9:00 AM

With no further business to conduct the meeting adjourned at 10:27 AM.

Respectfully submitted by Alison Kisselgof, Board Administrator.